

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

West Godavari – Withdrawal of prosecution against Sri Paladugu Sriram and (4) others in Cr.No.88/2004, under sections 143, 171(E) of the Indian Penal Code, 1860 of Chintalapudi Police Station pending before Judicial First Class Magistrate, Chintalapudi vide C.C.No.243/2004 – Orders – Issued.

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No. 2007

Dated: 12.11.2008.

Read the following:

1. Representation of Sri Paladugu Sriram and (4) others, Dt:5/2008 received through Hon'ble MLA, Chintalapudi Assembly Constituency.
2. Govt.Memo.No.15741/Courts-B2/2008-1, Dt:23.05.2008.
3. From the DGP, Lr.Rc.No.2960/Complts-1/2008, Dt:29.08.2008.

ORDER:

Sri Paladugu Sriram and others in the representation 1st read above, have stated that based on the complaint preferred by Sri J.Muttareddy, R/o.Chintalapudi, a case for the alleged offence punishable in Cr.No.88/2004, under sections .143, 171(E) of the Indian Penal Code, 1860 was registered against S/Sri Paladugu Sriram, S/o.Sai Rangarao, R/o.Visakhapatnam; (2) Maddipati Srinivasa Rao, S/o.Lakshmipatirao, R/o.Kamavarapukota, West Godavari District; (3) Ghanta Madhavarao, S/o.Ramakrishna, R/o.Kamavarapukota, West Godavari District; (4) Balusu Narayana, S/o.Rangarao, R/o.K.Gokavaram (V), Lingapale (M), West Godavari District; and (5) T.Balayogi, S/o.Ramachandrayya, R/o.Anantareddygudem, Shamshabad (M), R.R. District, as they are the strong supporters and sympathizers of Congress Party. The same is pending before Hon'ble Judicial First Class Magistrate, Chintalapudi vide C.C.No.243/2004.

2. Further the applicants have stated that the case in FIR is vague in nature and there are no specific over acts against any person, as alleged by the Complainant i.e., Sri J.Mutta Reddy. The applicants have requested to take necessary steps for withdrawal of prosecution against them.

3. The Director General of Police, A.P., Hyderabad in his letter 3rd read above, has informed that the complainant presented a report to the Station House Officer, Chintalapudi alleging that one Kakarla Bujji and 50 others have distributed money and liquor to the voters in Timmareddipalli (V) towards bribery and enticing them to vote in favour of Congress Party, accordingly a case in Cr.No.88/2004, under sections 143 and 171 (E) of the Indian Penal Code, 1860 of Chintalapudi P.S. was registered. Investigations revealed that there is no incriminating material against the accused mentioned in para (1) above.

4. Accordingly, the Director General of Police, A.P., Hyderabad in his letter 3rd read above, for the reasons mentioned therein, based on the report of the Superintendent of Police, West Godavari District and the opinion of Assistant Public Prosecutor concerned has recommended for withdrawal of prosecution against the accused mentioned in para (1) above in Cr.No.88/2004, under sections 143 and 171(E) of the Indian Penal code, 1860 (Central Act 45 of 1860) of Chintalapudi Police Station, pending before Hon'ble Judicial First Class Magistrate, Chintalapudi vide C.C.No.243/2004.

5. Government after careful examination of the matter, based on the material made available, have decided to withdraw prosecution against the accused mentioned in para (1) above in Cr.No.88/2004, under sections 143 and 171(E) of the Indian Penal code, 1860 (Central Act 45 of 1860) of Chintalapudi Police Station, pending before Hon'ble Judicial First Class Magistrate, Chintalapudi vide C.C.No.243/2004, vide C.C.no.243/2004.

6. The Collector & District Magistrate, West Godavari District is directed to instruct the Assistant Public Prosecutor concerned to file a petition under section 321 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for withdrawal of prosecution against the accused mentioned in para (1) above in Cr.No.88/2004, under sections 143 and 171(E) of the Indian Penal code, 1860 (Central Act 45 of 1860) of Chintalapudi

Police Station, pending before Hon'ble Judicial First Class Magistrate, Chintalpudi, vide C.C.No.243/2004 under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.SURI APPA RAO,
SECRETARY TO GOVERNMENT
LEGISLATIVE AFFAIRS & JUSTICE (I/c.)

To

The Collector & District Magistrate, West Godavari at Eluru.

The Director General of Police, A.P., Hyderabad. (we) (CD file)

The Superintendent of Police, West Godavari at Eluru.

The Asst.Public Prosecutor concerned (thro' Collector)

Copy to:

The Law (E) Dept.

Sf/Sc.

P.S. to M (Home)

(w.r.t. their Note No.16313/M(H)/08, Dt:13.05.2008)

// forwarded :: by order //

Section Officer